

HOUSE BILL No. 1648

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Autism waiver amendments. Requires the office of Medicaid policy and planning to amend the autism waiver to provide coverage for applied behavior analysis treatment. Appropriates from the state general fund an amount sufficient to increase the number of individuals served under the Medicaid autism waiver. (The introduced version of this bill was prepared by the Indiana commission on autism.)

Effective: July 1, 2001.

Summers, Duncan, Oxley, Atterholt

January 17, 2001, read first time and referred to Committee on Human Affairs.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

HOUSE BILL No. 1648

A BILL FOR AN ACT concerning Medicaid and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. [EFFECTIVE JULY 1, 2001] (a) As used in this
2 SECTION, "waiver" refers to a home and community based
3 services waiver described in 42 U.S.C. 1396n(c) as it:

- 4 (1) applies to persons with autism; and
5 (2) is in effect on July 1, 2001.

6 (b) The office of Medicaid policy and planning shall seek
7 approval under 42 U.S.C. 1396 et seq. from the federal Health Care
8 Financing Administration to amend the waiver to:

- 9 (1) provide coverage for care provided by a treatment team,
10 which must include a lead therapist who:

11 (A) is licensed as a psychologist under IC 25-33 or as a
12 psychiatrist under IC 25-22.5;

13 (B) has completed one thousand five hundred (1,500) hours
14 of training or supervised experience in the application of
15 applied behavior analysis or an equivalent behavior
16 modification theory for children with a pervasive
17 developmental disorder; and



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(C) has at least two (2) years experience as an independent practitioner and as a supervisor of less experienced clinicians; and

(2) increase by at least four hundred (400) the total number of waiver slots for individuals who are eligible for a waiver and who would otherwise require a level of care in an intermediate care facility for the mentally retarded (as defined in 42 U.S.C. 1396d(d)) or a nursing facility (as defined in 42 U.S.C. 1396r(a)).

(c) The office of Medicaid policy and planning shall apply before September 1, 2001, for approval from the federal Health Care Financing Administration to amend the waiver to implement this SECTION.

(d) The office of Medicaid policy and planning may not implement the changes specified under subsection (b) until the office of Medicaid policy and planning files an affidavit with the governor attesting that the federal Health Care Financing Administration approves the changes in the waiver requested by the office of Medicaid policy and planning under this SECTION. The office shall file the affidavit under this subsection not later than five (5) days after the office is notified that the waiver is approved.

(e) The office of Medicaid policy and planning shall adopt rules under IC 4-22-2 necessary to implement this SECTION.

(f) There is appropriated to the office of Medicaid policy and planning an amount sufficient for its use in funding an increase in the number of eligible individuals who may be served by the waiver as follows:

(1) From two hundred (200) individuals to four hundred (400) individuals during the state fiscal year beginning July 1, 2001, and ending June 30, 2002.

(2) From four hundred (400) individuals to six hundred (600) individuals during the state fiscal year beginning July 1, 2002, and ending June 30, 2003.

(g) This SECTION expires July 1, 2004.

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